

REMARKS

35 U.S.C. § 102 Rejections

The Examiner has rejected claims 1, 6, 7, and 12 under 35 U.S.C. § 102(b) as being anticipated by Howard.

Claims 1 has been amended to include allowing a transaction to complete if a current state indicates the transaction has already started. Specifically, claim 1 includes the limitation "allowing the transaction to complete if a current state indicates the transaction has already started."

Claim 7 has been amended to include allowing a transaction to complete if a current state indicates the transaction has already started. Specifically, claim 7 includes the limitation "a third programmable component to allow the transaction to complete if the current state indicates the transaction has already started."

Howard does not disclose allowing a transaction to complete if a current state indicates the transaction has already started. Howard discloses a method and apparatus for ensuring frame integrity in a bus system (Abstract). Hardware register 101 provides a base address, and frame counter 102 provides an offset to create an address 103 of a frame pointer 104 and a frame list 105 (Col. 3, lines 7-10). Each entry of the frame list 105 includes two additional relevant bits and two unused bits in addition to a frame pointer (Col. 3, lines 10-12.) A T-bit 107 is used to indicate whether transactions are pending for the frame (Col. 3, lines 12-13). A Q-bit 106 indicates whether a frame pointer points to a transaction descriptor (TD) or a queue head (QH) (Col. 3, lines 13-15). For packets in excess of 64 bytes, the time

point does not provide an adequate mechanism for scheduling transactions to ensure completion within the frame time (Col. 4, lines 18-20). However, it is possible to use the expected length of the transaction (provided in the TD) in conjunction with the remaining time left in the frame to determine whether to start a transaction (Col. 4, lines 21-24). The number of bit lines left in a frame is precisely tracked by the host controller. Accordingly, with the TD information and the bit lines left in a frame, it can be readily determined whether a transaction should or should not be started (Col. 4, lines 24-28). Howard makes no mention of what should be done with the transaction after it has already been started. Specifically, Howard does not disclose allowing a transaction to complete if a current state indicates the transaction has already started.

Therefore, claims 1 and 7 are not anticipated by Howard because claims 1 and 7 include a limitation that is not disclosed in Howard. Furthermore, claims 1 and 7 have been amended in accordance with the Examiner's indication that claims 4 and 10 would be allowable if added to the rejected independent claim.

Claims 6 and 12 are dependent upon either claim 1 or claim 7 and should be allowable for the same reasons as claims 1 and 7.

Applicant, accordingly, respectfully requests withdrawal of the rejections of claims 1, 6, 7, and 12 under 35 U.S.C. § 102(b) as being anticipated by Howard.

35 U.S.C. § 103 Rejections

The Examiner has rejected claims 2, 3, 5, 9, 11, 13-15, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Howard.

Claims 2, 3, 5, 9, and 11 are dependent upon either claim 1 or claim 7 and should be allowable for the same reasons as claims 1 and 7 stated above.

Claim 13 has been amended to include a component to allow a transaction to complete if a current state indicates the transaction has already started. Specifically, claim 13 includes the limitation "a third programmable component to allow the transaction to complete if the current state indicates the transaction has already started."

As previously discussed, Howard does not disclose allowing a transaction to complete if a current state indicates the transaction has already started.

Therefore, claim 13 is patentable over Howard because 13 includes a limitation that is neither taught nor suggested by Howard. Furthermore, claim 13 has been amended in accordance with the Examiner's indication that claim 16 would be allowable if added to the rejected independent claim.

Claims 14, 15, 17, and 18 are dependent upon claim 13 and should be allowable for the same reasons as claim 13.

Applicant, accordingly, respectfully requests withdrawal of the rejection of claims 2, 3, 5, 9, 11, 13-15, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Howard.

ALLOWABLE CLAIMS


In view of these amendments, Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call James A. Salter at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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